

REC #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PARKHURST & WENDEL, L.L.P.
1421 Prince Street
Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220

Attorney Docket No.: DAIN:563
Date: December 11, 2003

Prior Application:
Examiner: Ling X. Xu

Mail Stop
Patent Application
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, Virginia 22313-1450

Art Unit: 1771

RECEIVED
DEC 16 2003
TC 1700

Sir:

This is a

[] Continued Prosecution Application (CPA) under 37 CFR §1.53(d);
[X] Request for Continued Examination (RCE) under 37 CFR §1.114
(prosecution of the application is closed in the sense of 37 CFR §1.114(b));
[] Divisional Continuation Application (parent not abandoned) under 37
CFR §1.53(b);
[] Divisional Application (parent being abandoned) under 37 CFR
§1.53(d);

of pending prior application Serial No. 09/684,927, filed October 10, 2000

for [Title as filed]: PROTECTIVE LAYER TRANSFER SHEET

[Amended Title]: same

by [Inventors]: Hideki USUKI, Satoshi MORIGUCHI, and Hitoshi SAITO

1. [] A copy of the prior application is attached. This copy comprises
a true copy of the prior application as filed (specification,
claims, drawings, declaration). No amendments referred to in the
declaration (if any) filed to complete the prior application
introduced new matter therein.

2. [] Abandon said prior application as of the filing date accorded this
application.

12/12/2003 MGE BREW1 00000099 09684927

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770.00 GP

PLEASE ACCEPT THIS AS
AUTHORIZATION TO DEBIT
OR CREDIT FEES TO
DEP. ACCT. 16-0331
PARKHURST & WENDEL

3. [X] The filing fee is calculated below:

CLAIMS REMAINING IN AN APPLICATION AFTER ENTRY OF ANY PRELIMINARY AMENDMENT OR AMENDMENT UNDER 37 CFR §1.116 NOTED BELOW		Basic Fee
Total claims	7 - 20 = 0 x \$18.00 (* 9.00) =	-
Independent claims	1 - 3 = 0 x \$86.00 (*43.00) =	-
Total Filing Fee.....		\$770.00

4. [X] A check in the amount of \$770.00 is enclosed (Ck# 17/62).
- THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY OTHER FEES WHICH MAY BE REQUIRED OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 160331.
5. [] Cancel in this application claims ____ of the prior application before calculating the filing fee. At least one independent claim is retained for filing purposes.
6. [] Amend the specification by inserting before the first line the sentence:
--This is a [] Continuation [] Division of application Serial No. 09/684,927 filed October 10, 2000.--
7. [X] Please enter in the present application the Amendment Under 37 CFR §1.116 with any attachments filed on September 22, 2003 in this application which was not entered therein.
8. [X] Priority of foreign application(s) No. 1999-292919 filed October 14, 1999 in Japan is claimed under 35 U.S.C. §119.
- [X] The certified copy was filed in prior application No. 9/684,927 on December 15, 2000.
- [] A certified copy of the above corresponding foreign application is filed herewith.
9. [X] The prior application is assigned of record to DAI NIPPON PRINTING CO., LTD. Recorded at Reel 011370, Frame 0642.

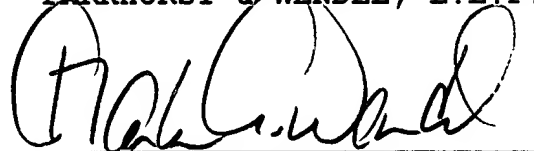
10. [X] The power of attorney in the prior application is to Roger W. Parkhurst, Registration No. 25,177 and Charles A. Wendel, Registration No. 24,453:
- [X] a. The power appears in the original papers in the prior application.
 - [] b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 - [X] c. Address all future communications to

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11. [] An Application Data Sheet is enclosed.
12. [] A Preliminary Amendment is enclosed herewith.
13. [X] An Argument in Support of Patentability is enclosed.
- 14 [X] This application is not entitled to Small Entity Status.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Charles A. Wendel
Registration No. 24,453

(rev. 01/02)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hideki USUKI et al.

Group Art Unit: 1775

Serial No.: 09/684,927

Examiner: Ling X. Xu

Filed: October 10, 2000

For: PROTECTIVE LAYER TRANSFER SHEET

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ARGUMENT IN SUPPORT OF PATENTABILITY

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner had remarked in the Advisory Action mailed October 16, 2003 that the Declaration Under 37 CFR 1.132 by Kenichi Hirota (the original of that paper being filed by facsimile on October 2, 2003) was insufficient to overcome the prior art rejection "because the data shown (see Table 2) do not indicate the claimed range of 3-10% of microsilica in the adhesive layer has unexpected results." Applicants say with respect that the Declaration does show such unexpected results for the following reasons.

Serial No. 09/684,927

The Examiner is particularly directed to the OD values in Table 2 of the Declaration at the step 14 and step 15 levels. Here the difference of quality of the transferred image is revealed, particularly in the darker side of the image level. Thus, the quality of the image must be evaluated at those levels. In step 14 and step 15, there is a significant difference between the 0 to 3% microsilica content and the 12 to 20% microsilica content. For example, in step 15, there is a 0.05 to 0.12 OD value difference between the range of the present invention and outside the range of the present invention. Applicants respectfully submit that the value represent a significant unexpected and patentable difference. The Examiner is also directed to the paragraph bridging pages 4 and 5 of the Declaration where Mr Hirota also explains the significance of the step 15 level values.

Serial No. 09/684,927

Reconsideration of the case is earnestly solicited.

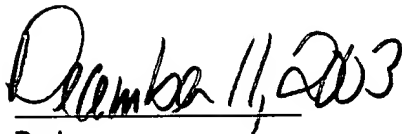
Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

A handwritten signature in dark ink, appearing to read "Charles A. Wendel", written over a horizontal line.

Charles A. Wendel

Registration No. 24,453

A handwritten date "December 11, 2003" in dark ink, written over a horizontal line.

Date

CAW/ch

Attorney Docket No.: DAIN:563

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